

Application No. 09/883,539

Page 10 of 11

REMARKS

Claims 1-28 are pending in the present application.

The informal drawings filed with the original application (on 6/18/2001) were objected to because the reference numbers and labels were not clear enough to be legible in every case. Applicants respectfully submit that this objection is overcome by the formal drawings submitted with the Response to Notice of Incomplete Reply (Non-Provisional), filed by Applicants on 12/21/2001, and noted in the PAIR system as being received on 1/4/2002.

Figure 3 is objected to because the sigma-delta modulator 32 referenced in Paragraph No. [28] on page 8 is not shown in Figure 3. Applicants submit that this objection has been overcome by the above amendment to Paragraph No. [28], whereby the "sigma-delta modulator 32" referenced in that paragraph has been replaced with the frequency modulator 82.

Claims 3, 7, 14 and 16 are objected to for certain specified informalities. In response, Applicants have (i) amended claim 3 such that claim 3 now recites that the delay circuit comprises a second finite impulse response filter, and (ii) have amended claims 7, 14 and 16 as suggested in the Office Action.

Claims 1, 6, 8-11, 15-21 and 23-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over USPN 5,705,959 (O'Loughlin) in view of USPN 4,965,531 (Riley) and further in view of USPN 5,351,016 (Dent). Further, the Office Action indicates that claims 2-4, 7, 12-14 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. In response, Applicants have hereby amended claims 2, 12 and 22 to be in independent form including all the limitations of their respective base claims 1, 11 and 21, and have canceled claims 1, 11 and 21. Further, Applicants have (i) amended the rejected claims 5, 6, 8 and 9 to depend from now allowable claim 2, (ii) amended the rejected claims 15 and 16 to depend from now allowable claim 12, and (iii) amended the rejected claims 24 and 25 to depend from now allowable claim 22. Applicants have also canceled the rejected claims 17-20, 27 and 28.

Application No. 09/883,539
Page 11 of 11

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



Dated: 13 May 2005

Craig Plastrik
Reg. No. 41,254

HUGHES NETWORK SYSTEMS, LLC
Customer No. 29190